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UNCLAS SECTION 01 OF 03 AMMAN 009956

SIPDIS

INFO AMEMBASSY BAGHDAD
AMEMBASSY CAIRO
AMEMBASSY DAMASCUS
AMEMBASSY RIYADH
AMEMBASSY KUWAIT
AMEMBASSY ATHENS
NVC PORTSMOUTH NH
DEPARTMENT OF HOMELAND SECURITY

DEPT FOR CA/FPP
ATHENS FOR DHS
DEPT ALSO PASS TO KCC
POSTS FOR FRAUD PREVENTION MANAGERS

E.O. 12958: N/A

TAGS: [KFRD](#) [CVIS](#) [CPAS](#) [CMGT](#) [ASEC](#) [JO](#) [IZ](#)

SUBJECT: H1B FRAUD TREND- IRAQIS CLAIMING TO BE ACCOUNTANTS OF CHALDEAN ORIGIN

11. Summary: In the past ten months, the Consular Section in Amman received a large number of apparently fraudulent H1B cases for Iraqi nationals claiming to be of Chaldean origin and intending to work in the U.S. as accountants or financial analysts. These cases resemble one another closely due to the attorneys used in the U.S., the immigration office used in Amman, and the claimed background of the applicants. The limitations on verifying documents from Iraq continue to pose a challenge to Post's anti-fraud efforts. End summary.

Getting Around 214b

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12. Since February 2005, the Consular Section has returned thirteen H1B temporary worker petitions to the Kentucky Consular Center and the Department of Homeland Security with forty-one applicants. These thirteen petitions were for Iraqi nationals who claimed they were qualified to serve as accountants or financial analysts in the U.S. However, in none of the cases were the applicants able to discuss principles of accounting nor were they able to speak English to a degree sufficient to hold a simple conversation, let alone work in a field requiring the ability to read and understand complex laws and regulations. Post is concerned that the H1B visa is being sought in order to obtain entry and thence immigration status in the U.S. via a visa category that does not permit refusal under the "intending immigrant" Section 214b of the Immigration and Nationality Act.

Detection Points

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13. In order to combat these apparently fraudulent cases, Post has implemented a full review of the documents submitted by the petitioner in the U.S., and introduced detailed questioning into the interview process. With the number of cases growing, Post has noted the following similarities among the applicants:

- They are all Iraqis claiming to be Chaldeans;
- They claim to hold bachelors degrees in accounting but cannot demonstrate basic written or oral understanding of their field;
- Their education credentials are evaluated by specialty U.S.-based credential evaluation services whose referenced materials do not include the changes in education credentials made after the fall of Saddam Hussein's regime in 2003;
- The applicant's U.S. relative found the job by advertising on their behalf in the U.S., often in a church bulletin;
- The non-immigrant visa application is completed locally by the same immigration office, Nahda Office of Amman, Jordan; and
- The written answers to the questionnaires match, in some cases word for word, those given by other applicants, including answers that are incorrect (Note: A list of attorneys associated with the petition filings is provided at paragraph 8. End note.)

14. As more applicants have come to the Embassy, Post has had to adapt in order to combat coaching of applicants by the immigration office or others. At interview, the interviewing officer has alternated fresh questions into the sequence of questions. When this is done, the applicant fails to answer, however subsequent applicants will have scripted answers to these same questions.

Not a Slam Dunk

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15. The best methods of detecting fraud would be to have a file of correct exemplar documents or to approach the issuing offices to verify the information. This is not possible on most submitted documents that originate from Iraq. Therefore, straightforward document verification with the issuing authorities is not available, a situation that is to the benefit of fraudulent applicants. Post is collecting recently issued Iraqi education documents in a scanned format from applicants with bona fide applications,

but does not have a sufficient number at this time to make effective comparisons.

Broader Trends =====

16. The use of the H1B visa class by Iraqis claiming to be Chaldeans to leave Iraq is mirrored in a number of other visa types. For example, the Immigrant Visa Unit has noted a large percentage of the I-130 petitions accepted both at Post and in the U.S. as originating from American Chaldeans entering into arranged marriages with Iraqi Chaldeans. At rough glance, this appears to be predictable pattern of follow-on immigration, given the small nature of the community and the fact that the Chaldean group originated from Iraq; however, the number and pace of applications are greater than what Post would assume is a natural progression. The same unit also estimates that half of the asylee following-to-join cases from Iraq are of Chaldean origin. In the Non-Immigrant Visa Unit, many of the Iraqi applicants for tourist/business visas claim to be of Chaldean background, as evidenced by church birth certificates often presented in conjunction with Iraqi national identification papers to demonstrate date of birth or relationship. These applicants rarely have travel outside of Iraq, except for purposes of the visa application, and in most cases do not overcome the intending immigrant section of law. These trends are for the most part anecdotal, as consular systems do not capture this information in a reportable form.

Comment =====

17. Post is a primary regional NIV and IV processing post for Iraqis, but of course is not in Iraq. Embassy Baghdad may be best placed to give an on-the-ground judgment as to whether Iraqi Chaldeans are leaving Iraq en masse, or whether our increased numbers in Amman reflect a more focused effort by specific families or individuals. In either case, while most Iraqis who claim to be of Chaldean origin seeking immigrant visas are qualified for that status, those applying for non-immigrant visas, particularly H-1B's, are increasingly not credible and unqualified. Our assessment is that many in this community lacking the necessary family ties to qualify for an immigrant visa are turning to organized efforts in the U.S. based on church ties and religious solidarity to obtain non-immigrant visas they are not qualified for. Post will continue to adapt its interviewing techniques and resources in order to address the unique challenges of adjudicating visas for Iraqis outside of Iraq, with a view to continued facilitation of legitimate immigrant and non-immigrant travel, and deterrence of illegitimate travel. However, as applicants and facilitators learn through trial and error, fraudulent cases will become increasingly difficult for Post to detect. Increased vigilance by petition- approving agencies and offices in the U.S. would assist in interdicting this flow of unqualified visa applicants. End comment.

List of Attorneys =====

18. Post has dealt with the following attorneys assisting the petitioners in H1B filings:

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